

### **REMARKS/ARGUMENTS**

In the Office Action dated January 25, 2008, it appears that claims 1-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by O'Neill, U.S. Patent Application Publication No. 2003/0018715, ("O'Neill"). Claims 7, 10, and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Neill in view of Magret et al., U.S. Patent No. 6,804,221 ("Magret").

Claims 1-14 are now pending in this application. Claims 8, 12, and 14 have been amended in order to clarify the subject matter that the Applicant considers to be the invention. No new matter has been added.

The Applicant respectfully submits that claims 1-14 are not anticipated by O'Neill. O'Neill discloses a technique for permitting a mobile host to roam in a foreign network, with multiple access node handoffs, while permitting foreign network multicasting by (i) having the mobile node (MN) use a persistent address, for purposes of multicasting, and (ii) relaxing or modifying reverse path forwarding checks, and (iii) modifying the forwarding of multicast packets sent from a non-local source address.

Claims 1 and 4 require a join instruction transmitted by a mobile node at least before the mobile node moves between subnetworks. Although O'Neill discloses multicast joins, O'Neill does not disclose or suggest sending such a join from a mobile node, which is moving from a first subnet to a second subnet, before the mobile node makes such a move. The Applicant agrees that O'Neill discloses join messages, permitting mobile hosts to roam in a foreign network, and multiple access node handoffs. However, O'Neill is silent as the timing of the join message relative to the actual move between networks. The Applicant respectfully traverses the Examiner's assertion that the

disclosure of O'Neill somehow discloses or suggest sending a join message before the mobile node moves from a first subnet to a second subnet. All of the functions disclosed by O'Neill, such as permitting mobile hosts to roam in a foreign network and multiple access node handoffs, can be performed even if the join message is not sent before the mobile node moves. Thus, O'Neill's disclosure of these functions does not imply that the join message is sent before the mobile node moves. Sending of a join before the mobile node moves does not make roaming and multiple handoff possible. Rather, sending the join before the mobile node moves provides the reduction or elimination in interruption of the multicast reception when the mobile node does move. O'Neill provides no disclosure or suggestion of this feature.

Claims 8 and 12 require forwarding multicast packets to a CoA for a specified limited time period, if the subnet to which the mobile node has moved is multicast compatible, and sending multicast packets to the CoA for a time that is not limited by the specified time period, if the subnet to which the mobile node has moved is not multicast compatible. This selection of a time for forwarding that is limited by the specified time period or time for forwarding that is not limited by the specified time period, based on whether the subnet to which the mobile node has moved is multicast compatible, is not disclosed or suggested by O'Neill. In Fig. 9 and para. [0115], O'Neill does not disclose any sort of specified time period at all. While the Examiner is correct in stating that any forwarding done is not indefinite, O'Neill does not disclose or suggest that the forwarding time is limited by a specified time period. Further, it is noted that, according to O'Neill, if foreign multicasting is to be used, the multicast packet is simply sent

towards the (foreign network) access router and the packet is left unencapsulated. This also does not disclose the required encapsulating and forwarding.

Claim 14 requires a packet processing unit operable to perform encapsulated forwarding of multicast packets for a specified time period when multicast packets can be received at a foreign location of a mobile node and to perform encapsulated forwarding of multicast packets for a for a time regardless of the specified time period when multicast packets cannot be received at a foreign location of a mobile node. O'Neill discloses forwarding packets, but does not disclose or suggest forwarding of multicast packets for a specific time period and does not disclose or suggest that the time period depends on whether multicast packets can be received at a foreign location of a mobile node. Further, in Fig. 14, O'Neill only discloses forwarding of encapsulated packets from the foreign agent to home agent, while claim 14 requires the home agent to forward encapsulated packets.

Therefore, claims 1, 4, 8, 12, and 14, as well as claims 2-3, 5-6, 9, and 13-14, which depend therefrom, are not anticipated by O'Neill.

The Applicant respectfully suggests that claims 7, 10, and 11 are not unpatentable over O'Neill in view of Magret because even if O'Neill and Magret were combined as suggested by the Examiner, the result would still not disclose or suggest the requirements of the claims. As discussed above, O'Neill does not disclose or suggest all features recited by claims 4 and 8, from which claims 7, 10, and 11 depend. Magret discloses a method and apparatus for registering a mobile node in both home and in foreign domains. However, Magret also does not disclose the sending of a join before the mobile node moves from the first subnet to the second subnet required by claim 4, or the selection of a

time for forwarding that is limited by the specified time period or time for forwarding that is not limited by the specified time period, based on whether the subnet to which the mobile node has moved is multicast compatible required by claim 8. Even if O'Neill and Magret were combined as suggested by the Examiner, the resulting combination still would not disclose or suggest these requirements of the claims. Therefore, Magret does not cure the deficiencies of O'Neill with respect to these requirements of the claims.

In addition, regarding claim 7, Magret does not disclose or suggest transmitting information indicating a specified period of time. Magret discloses the mobile node setting a timer when the registration lifetime ends. This is not the same as transmitting information indicating a specified period of time.

Likewise, regarding claim 10, Magret does not disclose or suggest statically determining, at the home agent, the time period for performing encapsulated forwarding. Magret discloses setting a timer at the mobile node, not at the home agent.

Therefore, claims 7, 10, and 11 are not unpatentable over O'Neill in view of Magret.

Each of the claims now pending in this application is believed to be in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.

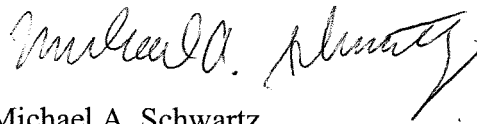
**Additional Fees:**

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 50-4545 (5243-004-US01).

**Conclusion**

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael A. Schwartz", with a stylized flourish at the end.

Michael A. Schwartz  
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